

**FEB 19 2004**

Atty Docket No. 022101-002800US

**OFFICIAL**

PTO FAX NO.: 703-872-9306

ATTENTION: Examiner Fredman, Jeffrey Norman

Group Art Unit 1634

TELEPHONE NO.: 703-308-0196

**OFFICIAL COMMUNICATION**  
**FOR THE PERSONAL ATTENTION OF**

**EXAMINER Fredman, Jeffrey Norman**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document(s), in re Application of Peter Vischer, et al., Application No. 10/033,426, filed December 27, 2001 for METHOD FOR PROCESSING A NUCLEIC ACID SAMPLE BY SWINGING A SEGMENT OF A CARTRIDGE WALL, A SYSTEM AND A CARTRIDGE FOR PERFORMING SUCH A METHOD is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Document(s) Attached

1. Transmittal Form PTO/SB/21;
2. Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address; and
3. Statement Under 37 CFR 3.73(b)

Number of pages being transmitted, including this page: 4

Dated: February 19, 2004

  
Stephanie J. Whitehurst

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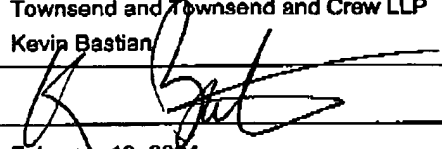
TOWNSEND and TOWNSEND and CREW LLP  
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60144701 v1


PTO/SB/21 (08-03)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/033,426
		Filing Date	December 27, 2001
		First Named Inventor	Vischer, Peter
		Art Unit	1634
		Examiner Name	Fredman, Jeffrey Norman
Total Number of Pages in This Submission	4	Attorney Docket Number	022101-002800US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Statement Under 37 CFR 3.73(b)(1pg); Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual	Townsend and Townsend and Crew LLP Kevin Bastian	Reg. No. 34,774
Signature		
Date	February 19, 2004	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, Fax No. (703) 872-9306 on February 19, 2004		
Typed or printed name	Stephanie J. Whitehurst	
Signature		Date February 19, 2004

60144705 v1

PTO/SB/82 (09-03)

<b>REVOCATION OF POWER OF ATTORNEY WITH NEW POWER OF ATTORNEY AND CHANGE OF CORRESPONDENCE ADDRESS</b>	Application Number	10/033,426
	Filing Date	December 27, 2001
	First Named Inventor	Peter Vischer and Marcel Aeschlimann
	Art Unit	1634
	Examiner Name	J. Fredman
	Attorney Docket Number	022101-002800US

I hereby revoke all previous powers of attorney given in the above-identified application:

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

20350

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with Customer Number: 20350

OR

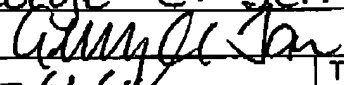
<input type="checkbox"/> Firm or Individual Name					
Address					
Address					
City		State		ZIP	
Country					
Telephone		Fax			

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

**SIGNATURE of Applicant or Assignee of Record**

Name	George C. Jen.		
Signature			
Date	2/11/04	Telephone	(510) 814-2966

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

60135333 v1

PTO/SB/96 (08-03)

Attorney Docket No. 022101-002800US

**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: Roche Molecular Systems, Inc.Application No./Patent No.: 10/033,426Filed/Issue Date: December 27, 2001Entitled: Method For Processing A Nucleic Acid Sample By Swinging A Segment Of A Cartridge Wall. A System ...Roche Molecular Systems, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012950, Frames 0033-0034, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

2/11/04

Date

(510) 814-2966

Telephone number

George C. Jen

Typed or printed name

George C. Jen

Signature

Senior Patent Counsel

Title

60135334 v1